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[Report No. 111-25]

To establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2009

Mr. DORGAN (for himself, Mr. ENSIGN, Mr. INOUE, Mr. MARTINEZ, Ms. KLOBUCHAR, Mr. BEGICH, Ms. MIKULSKI, Mr. BENNET, Mr. UDALL of New Mexico, Mr. VITTER, Mr. UDALL of Colorado, Mr. REID, Mr. ROCKEFELLER, Mr. NELSON of Florida, Mrs. BOXER, Mr. THUNE, Mr. KERRY, Mr. PRYOR, Mr. WICKER, Ms. LANDRIEU, Mr. ENZI, Mr. JOHNSON, Mr. GRAHAM, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 5, 2009

Reported under authority of the order of the Senate of June 4, 2009, by Mr. ROCKEFELLER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Travel Promotion Act of 2009”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. The Corporation for Travel Promotion.
- Sec. 3. Accountability measures.
- Sec. 4. Matching public and private funding.
- Sec. 5. Travel promotion fund fees.
- Sec. 6. Assessment authority.
- Sec. 7. Office of Travel Promotion.
- Sec. 8. Research program.

8 **SEC. 2. THE CORPORATION FOR TRAVEL PROMOTION.**

9 (a) ESTABLISHMENT.—The Corporation for Travel
 10 Promotion is established as a nonprofit corporation. The
 11 Corporation shall not be an agency or establishment of
 12 the United States Government. The Corporation shall be
 13 subject to the provisions of the District of Columbia Non-
 14 profit Corporation Act (D.C. Code, section 29–1001 et
 15 seq.), to the extent that such provisions are consistent
 16 with this section, and shall have the powers conferred
 17 upon a nonprofit corporation by that Act to carry out its
 18 purposes and activities.

19 (b) BOARD OF DIRECTORS.—

20 (1) IN GENERAL.—The Corporation shall have
 21 a board of directors of 11 members with knowledge

1 of international travel promotion and marketing,
2 broadly representing various regions of the United
3 States, who are United States citizens. Members of
4 the board shall be appointed by the Secretary of
5 Commerce (after consultation with the Secretary of
6 Homeland Security and the Secretary of State), as
7 follows:

8 (A) 1 shall have appropriate expertise and
9 experience in the hotel accommodations sector;

10 (B) 1 shall have appropriate expertise and
11 experience in the restaurant sector;

12 (C) 1 shall have appropriate expertise and
13 experience in the small business or retail sector
14 or in associations representing that sector;

15 (D) 1 shall have appropriate expertise and
16 experience in the ~~advertising~~ *travel distribution*
17 *services* sector;

18 (E) 1 shall have appropriate expertise and
19 experience in the attractions or recreations sec-
20 tor;

21 (F) 1 shall have appropriate expertise and
22 experience as officials of a city convention and
23 visitors' bureau;

24 (G) 2 shall have appropriate expertise and
25 experience as officials of a State tourism office;

1 (H) 1 shall have appropriate expertise and
 2 experience in the passenger air sector;

3 (I) 1 shall have appropriate expertise and
 4 experience in immigration law and policy, in-
 5 cluding visa requirements and United States
 6 entry procedures; and

7 (J) 1 shall have appropriate expertise in
 8 the intercity passenger railroad business.

9 (2) INCORPORATION.—The members of the ini-
 10 tial board of directors shall serve as incorporators
 11 and shall take whatever actions are necessary to es-
 12 tablish the Corporation under the District of Colum-
 13 bia Nonprofit Corporation Act (D.C. Code, section
 14 ~~29-1001~~ *29-301.01* et seq.).

15 (3) TERM OF OFFICE.—The term of office of
 16 each member of the board appointed by the Sec-
 17 retary shall be 3 years, except that, of the members
 18 first appointed—

19 (A) 3 shall be appointed for terms of 1
 20 year;

21 (B) 4 shall be appointed for terms of 2
 22 years; and

23 (C) 4 shall be appointed for terms of 3
 24 years.

1 (4) REMOVAL FOR CAUSE.—The Secretary of
2 Commerce may remove any member of the board for
3 good cause.

4 (5) VACANCIES.—Any vacancy in the board
5 shall not affect its power, but shall be filled in the
6 manner required by this section. Any member whose
7 term has expired may serve until the member's suc-
8 cessor has taken office, or until the end of the cal-
9 endar year in which the member's term has expired,
10 whichever is earlier. Any member appointed to fill a
11 vacancy occurring prior to the expiration of the term
12 for which that member's predecessor was appointed
13 shall be appointed for the remainder of the prede-
14 cessor's term. No member of the board shall be eligi-
15 ble to serve more than 2 consecutive full 3-year
16 terms.

17 (6) ELECTION OF CHAIRMAN AND VICE CHAIR-
18 MAN.—Members of the board shall annually elect
19 one of the members to be Chairman and elect 1 or
20 2 of the members as Vice Chairman or Vice Chair-
21 men.

22 (7) STATUS AS FEDERAL EMPLOYEES.—Not-
23 withstanding any provision of law to the contrary,
24 no member of the board may be considered to be a

1 Federal employee of the United States by virtue of
 2 his or her service as a member of the board.

3 (8) COMPENSATION; EXPENSES.—No member
 4 shall receive any compensation from the Federal
 5 government for serving on the Board. Each member
 6 of the Board shall be paid actual travel expenses and
 7 per diem in lieu of subsistence expenses when away
 8 from his or her usual place of residence, in accord-
 9 ance with section 5703 of title 5, United States
 10 Code.

11 (c) OFFICERS AND EMPLOYEES.—

12 (1) IN GENERAL.—The Corporation shall have
 13 ~~a President,~~ *an executive director* and such other of-
 14 ficers as may be named and appointed by the board
 15 for terms and at rates of compensation fixed by the
 16 board. No individual other than a citizen of the
 17 United States may be an officer of the Corporation.
 18 The Corporation may hire and fix the compensation
 19 of such employees as may be necessary to carry out
 20 its purposes. No officer or employee of the Corpora-
 21 tion may receive any salary or other compensation
 22 (except for compensation for services on boards of
 23 directors of other organizations that do not receive
 24 funds from the Corporation, on committees of such
 25 boards, and in similar activities for such organiza-

1 tions) from any sources other than the Corporation
2 for services rendered during the period of his or her
3 employment by the Corporation. Service by any offi-
4 cer on boards of directors of other organizations, on
5 committees of such boards, and in similar activities
6 for such organizations shall be subject to annual ad-
7 vance approval by the board and subject to the pro-
8 visions of the Corporation's Statement of Ethical
9 Conduct. All officers and employees shall serve at
10 the pleasure of the board.

11 (2) NONPOLITICAL NATURE OF APPOINT-
12 MENT.—No political test or qualification shall be
13 used in selecting, appointing, promoting, or taking
14 other personnel actions with respect to officers,
15 agents, or employees of the Corporation.

16 (d) NONPROFIT AND NONPOLITICAL NATURE OF
17 CORPORATION.—

18 (1) STOCK.—The Corporation shall have no
19 power to issue any shares of stock, or to declare or
20 pay any dividends.

21 (2) PROFIT.—No part of the income or assets
22 of the Corporation shall inure to the benefit of any
23 director, officer, employee, or any other individual
24 except as salary or reasonable compensation for
25 services.

1 (3) POLITICS.—The Corporation may not con-
2 tribute to or otherwise support any political party or
3 candidate for elective public office.

4 (4) SENSE OF CONGRESS REGARDING LOBBYING
5 ACTIVITIES.—It is the sense of Congress that the
6 Corporation should not engage in lobbying activities
7 (as defined in section 3(7) of the Lobbying Disclo-
8 sure Act of 1995 (5 U.S.C. 1602(7)).

9 (e) DUTIES AND POWERS.—

10 (1) IN GENERAL.—The Corporation shall de-
11 velop and execute a plan—

12 (A) to provide useful information to for-
13 eign tourists, business people, students, schol-
14 ars, scientists, and others interested in travel-
15 ling to the United States, including the dis-
16 tribution of material provided by the Federal
17 government concerning entry requirements, re-
18 quired documentation, fees, processes, and in-
19 formation concerning declared public health
20 emergencies, to prospective travelers, travel
21 agents, tour operators, meeting planners, for-
22 eign governments, travel media and other inter-
23 national stakeholders;

1 (B) to identify, counter, and correct
2 misperceptions regarding United States entry
3 policies around the world;

4 (C) to maximize the economic and diplo-
5 matic benefits of travel to the United States by
6 promoting the United States of America to
7 world travelers through the use of, but not lim-
8 ited to, all forms of advertising, outreach to
9 trade shows, and other appropriate promotional
10 activities;

11 (D) to ensure that international travel ben-
12 efits all States and the District of Columbia
13 and to identify opportunities and strategies to
14 promote tourism to rural and urban areas
15 equally, including areas not traditionally visited
16 by international travelers; and

17 (E) to give priority to the Corporation's ef-
18 forts with respect to countries and populations
19 most likely to travel to the United States.

20 (2) SPECIFIC POWERS.—In order to carry out
21 the purposes of this section, the Corporation may—

22 (A) obtain grants from and make contracts
23 with individuals and private companies, State,
24 and Federal agencies, organizations, and insti-
25 tutions;

1 (B) hire or accept the voluntary services of
2 consultants, experts, advisory boards, and pan-
3 els to aid the Corporation in carrying out its
4 purposes; and

5 (C) take such other actions as may be nec-
6 essary to accomplish the purposes set forth in
7 this section.

8 (3) PUBLIC OUTREACH AND INFORMATION.—

9 The Corporation shall develop and maintain a pub-
10 licly accessible website.

11 (f) OPEN MEETINGS.—Meetings of the board of di-
12 rectors of the Corporation, including any committee of the
13 board, shall be open to the public. The board may, by ma-
14 jority vote, close any such meeting only for the time nec-
15 essary to preserve the confidentiality of commercial or fi-
16 nancial information that is privileged or confidential, to
17 discuss personnel matters, or to discuss legal matters af-
18 fecting the Corporation, including pending or potential liti-
19 gation.

20 (g) MAJOR CAMPAIGNS.—The board may not author-
21 ize the Corporation to obligate or expend more than
22 \$25,000,000 on any advertising campaign, promotion, or
23 related effort unless—

1 (1) the obligation or expenditure is approved by
2 an affirmative vote of at least $\frac{2}{3}$ of the members of
3 the board present at the meeting;

4 (2) at least 6 members of the board are present
5 at the meeting at which it is approved; and

6 (3) each member of the board has been given
7 at least 3 days advance notice of the meeting at
8 which the vote is to be taken and the matters to be
9 voted upon at that meeting.

10 (h) FISCAL ACCOUNTABILITY.—

11 (1) FISCAL YEAR.—The Corporation shall es-
12 tablish as its fiscal year the 12-month period begin-
13 ning on October 1.

14 (2) BUDGET.—The Corporation shall adopt a
15 budget for each fiscal year.

16 (3) ANNUAL AUDITS.—The Corporation shall
17 engage an independent accounting firm to conduct
18 an annual financial audit of the Corporation's oper-
19 ations and shall publish the results of the audit. The
20 Comptroller General of the United States may re-
21 view any audit of a financial statement conducted
22 under this subsection by an independent accounting
23 firm and may audit the Corporation's operations at
24 the discretion of the Comptroller General. The
25 Comptroller General *and the Congress* shall have full

1 and complete access to the books and records of the
2 Corporation.

3 (4) PROGRAM AUDITS.—Not later than 2 years
4 after the date of enactment of this Act, the Comp-
5 troller General shall conduct a review of the pro-
6 grammatic activities of the Corporation for Travel
7 Promotion. This report shall be provided to appro-
8 priate congressional committees.

9 **SEC. 3. ACCOUNTABILITY MEASURES.**

10 (a) OBJECTIVES.—The Board shall establish annual
11 objectives for the Corporation for each fiscal year subject
12 to approval by the Secretary of Commerce (after consulta-
13 tion with the Secretary of Homeland Security and the Sec-
14 retary of State). The Corporation shall establish a mar-
15 keting plan for each fiscal year not less than 60 days be-
16 fore the beginning of that year and provide a copy of the
17 plan, and any revisions thereof, to the Secretary.

18 (b) BUDGET.—The board shall transmit a copy of the
19 Corporation's budget for the forthcoming fiscal year to the
20 Secretary not less than 60 days before the beginning of
21 each fiscal year, together with an explanation of any ex-
22 penditure provided for by the budget in excess of
23 \$5,000,000 for the fiscal year. The Corporation shall
24 make a copy of the budget and the explanation available

1 to the public and shall provide public access to the budget
2 and explanation on the Corporation's website.

3 (c) ANNUAL REPORT TO CONGRESS.—The Corpora-
4 tion shall submit an annual report for the preceding fiscal
5 year to the Secretary of Commerce for transmittal to the
6 Congress on or before the 15th day of May of each year.
7 The report shall include—

8 (1) a comprehensive and detailed report of the
9 Corporation's operations, activities, financial condi-
10 tion, and accomplishments under this Act;

11 (2) a comprehensive and detailed inventory of
12 amounts obligated or expended by the Corporation
13 during the preceding fiscal year;

14 (3) a detailed description of each in-kind con-
15 tribution, its fair market value, the individual or or-
16 ganization responsible for contributing, its specific
17 use, and a justification for its use within the context
18 of the Corporation's mission;

19 (4) an objective and quantifiable measurement
20 of its progress, on an objective-by-objective basis, in
21 meeting the objectives established by the board;

22 (5) an explanation of the reason for any failure
23 to achieve an objective established by the board and
24 any revisions or alterations to the Corporation's ob-
25 jectives under subsection (a);

1 (6) a comprehensive and detailed report of the
2 Corporation's operations and activities to promote
3 tourism in rural and urban areas; and

4 (7) such recommendations as the Corporation
5 deems appropriate.

6 (d) *LIMITATION ON USE OF FUNDS.—Amounts depos-*
7 *ited in the Fund may not be used for any purpose incon-*
8 *sistent with carrying out the objectives, budget, and report*
9 *described in this section.*

10 **SEC. 4. MATCHING PUBLIC AND PRIVATE FUNDING.**

11 (a) ESTABLISHMENT OF TRAVEL PROMOTION
12 FUND.—There is hereby established in the Treasury a
13 fund which shall be known as the Travel Promotion Fund.

14 (b) FUNDING.—

15 ~~(1) START-UP EXPENSES.—For the period be-~~
16 ~~ginning on October 1, 2009, and ending on Decem-~~
17 ~~ber 31, 2009, the Secretary of the Treasury shall~~
18 ~~make available to the Corporation such sums as may~~
19 ~~be necessary, but not to exceed \$10,000,000, from~~
20 ~~amounts deposited in the general fund of the Treas-~~
21 ~~ury from fees under section 217(h)(3)(B)(i)(I) of the~~
22 ~~Immigration and Nationality Act (8 U.S.C.~~
23 ~~1187(h)(3)(B)(i)(I)) to cover the Corporation's ini-~~
24 ~~tial expenses and activities under this Act.~~

1 (2) FISCAL YEAR 2010 AND SUBSEQUENT
 2 YEARS.—For the period beginning on January 1,
 3 2010, and ending on September 30, 2010, and for
 4 each of fiscal years 2011 through 2014, from
 5 amounts deposited in the general fund of the Treas-
 6 ury during the preceding fiscal year from fees under
 7 section 217(h)(3)(B)(i)(I) of the Immigration and
 8 Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)), the
 9 Secretary of the Treasury shall transfer not more
 10 than \$100,000,000 to the Fund, which shall be
 11 made available to the Corporation, subject to sub-
 12 sections (c) and (d) of this section, to carry out its
 13 functions under this Act. Transfers shall be made at
 14 least quarterly on the basis of estimates by the Sec-
 15 retary of the Treasury of the amounts required to be
 16 transferred in accordance with subsection (c), and
 17 proper adjustments shall be made in amounts subse-
 18 quently transferred to the extent prior estimates
 19 were in excess or less than the amounts required to
 20 be transferred.

21 (c) MATCHING REQUIREMENT.—

22 (1) IN GENERAL.—The Secretary of the Treas-
 23 ury shall make available to the Corporation at least
 24 quarterly from amounts available in the Fund for
 25 the period beginning on January 1, 2010, and end-

ing on September 30, 2010, and for each of fiscal years 2011, 2012, 2013, and 2014, an amount equal to the amount received from non-Federal sources by the Corporation. The amount made available to the Corporation under this paragraph for the period ending on September 30, 2010, and for each of those fiscal years, may not exceed \$100,000,000.

(1) *START-UP EXPENSES.*—For fiscal year 2010, the Secretary of the Treasury shall make available to the Corporation such sums as may be necessary, but not to exceed \$10,000,000, from amounts deposited in the general fund of the Treasury from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) to cover the Corporation’s initial expenses and activities under this Act. Transfers shall be made at least quarterly, beginning on October 1, 2009, on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(2) *SUBSEQUENT YEARS.*—For each of fiscal years 2011 through 2014, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 217(h)(3)(B)(i)(I)

1 *of the Immigration and Nationality Act (8 U.S.C.*
2 *1187(h)(B)(i)(I)), the Secretary of the Treasury shall*
3 *transfer not more than \$100,000,000 to the Fund,*
4 *which shall be made available to the Corporation,*
5 *subject to subsection (c) of this section, to carry out*
6 *its functions under this Act. Transfers shall be made*
7 *at least quarterly on the basis of estimates by the Sec-*
8 *retary, and proper adjustments shall be made in*
9 *amounts subsequently transferred to the extent prior*
10 *estimates were in excess or less than the amounts re-*
11 *quired to be transferred.*

12 *(c) MATCHING REQUIREMENT.—*

13 *(1) IN GENERAL.—No amounts may be made*
14 *available to the Corporation under this section after*
15 *fiscal year 2010, except to the extent that—*

16 *(A) for fiscal year 2011, the Corporation*
17 *provides matching amounts from non-Federal*
18 *sources equal in the aggregate to 50 percent or*
19 *more of the amount transferred to the Fund*
20 *under subsection (b); and*

21 *(B) for any fiscal year after fiscal year*
22 *2011, the Corporation provides matching*
23 *amounts from non-Federal sources equal in the*
24 *aggregate to 100 percent of the amount trans-*

1 *ferred to the Fund under subsection (b) for the*
 2 *fiscal year.*

3 (2) GOODS AND SERVICES.—For the purpose of
 4 determining the amount received from non-Federal
 5 sources by the Corporation, other than money—

6 (A) the fair market value of goods and
 7 services (including advertising) contributed to
 8 the Corporation for use under this Act may be
 9 included in the determination; but

10 (B) the fair market value of such goods
 11 and services may not account for more than 80
 12 percent of the matching requirement under
 13 paragraph (1) for the Corporation in any fiscal
 14 year.

15 (3) RIGHT OF REFUSAL.—The Corporation may
 16 decline to accept any contribution in-kind that it de-
 17 termines to be inappropriate, not useful, or commer-
 18 cially worthless.

19 (4) LIMITATION.—The Corporation may not ob-
 20 ligate or expend funds in excess of the total amount
 21 received by the Corporation for a fiscal year from
 22 Federal and non-Federal sources.

23 (d) CARRYFORWARD.—

1 (1) FEDERAL FUNDS.—Amounts transferred to
2 the Fund under subsection (b)(2) shall remain avail-
3 able until expended.

4 (2) MATCHING FUNDS.—Any amount received
5 by the Corporation from non-Federal sources in fis-
6 cal year 2010, 2011, 2012, 2013, or 2014 that can-
7 not be used to meet the matching requirement under
8 subsection (c)(1) for the fiscal year in which amount
9 was collected may be carried forward and treated as
10 having been received in the succeeding fiscal year for
11 purposes of meeting the matching requirement of
12 subsection (c)(1) in such succeeding fiscal year.

13 **SEC. 5. TRAVEL PROMOTION FUND FEES.**

14 Section 217(h)(3)(B) of the Immigration and Nation-
15 ality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as
16 follows:

17 “(B) FEES.—

18 “(i) IN GENERAL.—No later than September
19 30, 2009, the Secretary of Homeland Security shall
20 establish a fee for the use of the System and begin
21 assessment and collection of that fee. The initial fee
22 shall be the sum of—

23 “(I) \$10 per travel authorization; and

24 “(II) an amount that will at least ensure
25 recovery of the full costs of providing and ad-

1 ministering the System, as determined by the
2 Secretary.

3 “(ii) DISPOSITION OF AMOUNTS COLLECTED.—
4 Amounts collected under clause (i)(I) shall be cred-
5 ited to the Travel Promotion Fund established by
6 section 4 of the Travel Promotion Act of 2009.
7 Amounts collected under clause (i)(II) shall be
8 transferred to the general fund of the Treasury and
9 made available to pay the costs incurred to admin-
10 ister the System.

11 “(iii) SUNSET OF TRAVEL PROMOTION FUND
12 FEE.—The Secretary may not collect the fee author-
13 ized by clause (i)(I) for fiscal years beginning after
14 September 30, 2014.”.

15 **SEC. 6. ASSESSMENT AUTHORITY.**

16 (a) IN GENERAL.—Except as otherwise provided in
17 this section, the Corporation may impose an annual as-
18 sessment on United States members of the international
19 travel and tourism industry (other than those described
20 in section 2(b)(1)(C) or (H)) represented on the Board
21 in proportion to their share of the aggregate international
22 travel and tourism revenue of the industry. The Corpora-
23 tion shall be responsible for verifying, implementing, and
24 collecting the assessment authorized by this section.

1 (b) INITIAL ASSESSMENT LIMITED.—The Corpora-
2 tion may establish the initial assessment after the date
3 of enactment of the Travel and Tourism Promotion Act
4 at no greater, in the aggregate, than \$20,000,000.

5 (c) REFERENDA.—

6 (1) IN GENERAL.—The Corporation may not
7 impose an annual assessment unless—

8 (A) the Corporation submits the proposed
9 annual assessment to members of the industry
10 in a referendum; and

11 (B) the assessment is approved by a ma-
12 jority of those voting in the referendum.

13 (3) PROCEDURAL REQUIREMENTS.—In con-
14 ducting a referendum under this subsection, the Cor-
15 poration shall—

16 (A) provide written or electronic notice not
17 less than 60 days before the date of the ref-
18 erendum;

19 (B) describe the proposed assessment or
20 increase and explain the reasons for the ref-
21 erendum in the notice; and

22 (C) determine the results of the ref-
23 erendum on the basis of weighted voting appor-
24 tioned according to each business entity's rel-
25 ative share of the aggregate annual United

1 States international travel and tourism revenue
2 for the industry per business entity, treating all
3 related entities as a single entity.

4 (d) COLLECTION.—

5 (1) IN GENERAL.—The Corporation shall estab-
6 lish a means of collecting the assessment that it
7 finds to be efficient and effective. The Corporation
8 may establish a late payment charge and rate of in-
9 terest to be imposed on any person who fails to
10 remit or pay to the Corporation any amount as-
11 sessed by the Corporation under this Act.

12 (2) ENFORCEMENT.—The Corporation may
13 bring suit in Federal court to compel compliance
14 with an assessment levied by the Corporation under
15 this Act.

16 (e) INVESTMENT OF FUNDS.—Pending disbursement
17 pursuant to a program, plan, or project, the Corporation
18 may invest funds collected through assessments, and any
19 other funds received by the Corporation, only in obliga-
20 tions of the United States or any agency thereof, in gen-
21 eral obligations of any State or any political subdivision
22 thereof, in any interest-bearing account or certificate of
23 deposit of a bank that is a member of the Federal Reserve
24 System, or in obligations fully guaranteed as to principal
25 and interest by the United States.

1 **SEC. 7. OFFICE OF TRAVEL PROMOTION.**

2 Title II of the International Travel Act of 1961 (22
3 U.S.C. 2121 et seq.) is amended by inserting after section
4 201 the following:

5 **“SEC. 202. OFFICE OF TRAVEL PROMOTION.**

6 “(a) OFFICE ESTABLISHED.—There is established
7 within the Department of Commerce an office to be known
8 as the Office of Travel Promotion.

9 “(b) DIRECTOR.—

10 “(1) APPOINTMENT.—The Office shall be head-
11 ed by a Director who shall be appointed by the Sec-
12 retary.

13 “(2) QUALIFICATIONS.—The Director shall be a
14 citizen of the United States and have experience in
15 a field directly related to the promotion of travel to
16 and within the United States.

17 “(3) DUTIES.—The Director shall be respon-
18 sible for ensuring the office is carrying out its func-
19 tions effectively and shall report to the Secretary.

20 “(c) FUNCTIONS.—The Office shall—

21 “(1) serve as liaison to the Corporation for
22 Travel Promotion established by section 2 of the
23 Travel Promotion Act of 2009 and support and en-
24 courage the development of programs to increase the
25 number of international visitors to the United States

1 for business, leisure, educational, medical, exchange,
2 and other purposes;

3 “(2) work with the Corporation, the Secretary
4 of State and the Secretary of Homeland Security—

5 “(A) to disseminate information more ef-
6 fectively to potential international visitors about
7 documentation and procedures required for ad-
8 mission to the United States as a visitor;

9 “(B) to ensure that arriving international
10 visitors are generally welcomed with accurate
11 information and in an inviting manner;

12 “(C) to collect accurate data on the total
13 number of international visitors that visit each
14 State; and

15 “(D) enhance the entry and departure ex-
16 perience for international visitors through the
17 use of advertising, signage, and customer serv-
18 ice; and

19 “(3) support State, regional, and private sector
20 initiatives to promote travel to and within the
21 United States.

22 “(d) REPORTS TO CONGRESS.—Within a year after
23 the date of enactment of the Travel Promotion Act of
24 2009, and periodically thereafter as appropriate, the Sec-
25 retary shall transmit a report to the Senate Committee

1 on Commerce, Science, and Transportation, the Senate
 2 Committee on Homeland Security and Government Af-
 3 fairs, the Senate Committee on Foreign Relations, the
 4 House of Representatives Committee on Energy and Com-
 5 merce, the House of Representatives Committee on Home-
 6 land Security, and the House of Representatives Com-
 7 mittee on Foreign Affairs describing the Office’s work
 8 with the Corporation, the Secretary of State and the Sec-
 9 retary of Homeland Security to carry out subsection
 10 (c)(2).”.

11 **SEC. 8. RESEARCH PROGRAM.**

12 Title II of the International Travel Act of 1961 (22
 13 U.S.C. 2121 et seq.), as amended by section 7, is further
 14 amended by inserting after section 202 the following:

15 **“SEC. 203. RESEARCH PROGRAM.**

16 “(a) IN GENERAL.—The Office of Travel and Tour-
 17 ism Industries shall expand and continue its research and
 18 development activities in connection with the promotion of
 19 international travel to the United States, including—

20 “(1) expanding access to the official Mexican
 21 travel surveys data to provide the States with trav-
 22 eler characteristics and visitation estimates for tar-
 23 geted marketing programs;

24 “(2) expanding the number of inbound air trav-
 25 elers sampled by the Commerce Department’s Sur-

1 vey of International Travelers to reach a 1 percent
2 sample size and revising the design and format of
3 questionnaires to accommodate a new survey instru-
4 ment, improve response rates to at least double the
5 number of States and cities with reliable inter-
6 national visitor estimates and improve market cov-
7 erage;

8 “(3) developing estimates of international travel
9 exports (expenditures) on a State-by-State basis to
10 enable each State to compare its comparative posi-
11 tion to national totals and other States;

12 “(4) evaluate the success of the Corporation in
13 achieving its objectives and carrying out the pur-
14 poses of the Travel Promotion Act of 2009; and

15 “(5) research to support the annual reports re-
16 quired by section 202(d) of this Act.

17 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to the Secretary of Com-
19 merce for fiscal years 2010 through 2014 such sums as
20 may be necessary to carry out this section.”.

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111TH CONGRESS
1ST Session

S. 1023

[Report No. 111-25]

A BILL

To establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

JUNE 5, 2009

Reported with amendments